

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION

No. 21-MD-3010 (PKC)

This Declaration Relates To:

THE STATE OF TEXAS, *et al.*,

Plaintiffs,

- against -

GOOGLE LLC,

Defendants.

No. 21-CV-6841 (PKC)

**DECLARATION OF ALI NASIRI AMINI IN SUPPORT OF
DEFENDANT GOOGLE LLC'S RESPONSE TO PLAINTIFF STATES' MOTION FOR
LEAVE TO FILE THE UNREDACTED THIRD AMENDED COMPLAINT UNDER SEAL**

I, Ali Nasiri Amini, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Vice President of Engineering and Data Science at Google LLC. I have been employed by Google since July 2009. Based on my work at Google, I have personal knowledge of the company's practices and procedures for maintaining the confidentiality of strategic, technical, and business information.

2. I submit this declaration in support of Google LLC's Response to Plaintiff States' Motion for Leave to File the Unredacted Third Amended Complaint under Seal in *In Re Google Digital Advertising Antitrust Litigation*, Case No. 21-MD-3010 (PKC) (S.D.N.Y.). I am informed and believe that the sealed material reveals confidential information produced by Google pursuant to discovery requests or civil investigative demands.

3. The contents of this declaration are true and correct to the best of my knowledge, information, and belief, and are based on my personal knowledge of Google's policies and practices as they relate to the treatment of confidential information, the materials that were provided to me and reviewed by me, and/or informed by conversations with other knowledgeable employees of Google. If called upon as a witness in this action, I could and would testify competently thereto.

4. Google follows a strict practice that requires confidential treatment of technical product details, including the design and operation of bidding optimization programs. In my experience and to the best of my knowledge, Google does not disclose internal or confidential information of this nature outside of the company, with the exception of certain documents that Google shares with partners or fiduciaries, subject to further confidentiality requirements.

5. Among other things, the disclosure of these materials could reveal highly sensitive non-public technical and business information, significantly harm Google's relationships and

ability to conduct business with counterparties and prospective counterparties, and/or place Google at a disadvantage with competitors, who could use Google's confidential analyses to their advantage. These materials therefore have economic value from not being generally known to Google's competitors, counterparties, or the general public.

6. To the best of my knowledge, the following information in the Third Amended Complaint that is the subject of Google's Response to Plaintiff States' Motion for Leave to File the Unredacted Third Amended Complaint under Seal is highly sensitive and confidential, and it derives from confidential materials Google produced in response to document requests or to civil investigative demands. As described in detail below, Google has compelling reasons to seal this confidential information to, among other things, avoid competitive harm to both Google and third parties, avoid potentially misleading investors, avoid disclosure of confidential agreements between Google and third parties, and prevent competitors and potential business partners from using the information against Google in future negotiations.

Specific Information to Redact from the Third Amended Complaint

(Exhibit A)

7. **Paragraph 400.** The highlighted text reveals technical product information regarding a bidding strategy employed by one of Google's buying tools, including the specific way in which Google identifies certain practices by third-party exchanges that can harm the customers that use Google's products. This proprietary information about a product innovation, which has never been revealed publicly, reflects substantial research and development investments by Google's programmers, engineers, and business managers. If revealed publicly, this non-public and confidential information would severely and adversely impact Google's ability to compete because competitors that offer alternative buying tools could replicate this product feature, thereby

harming Google's ability to differentiate its bidding capabilities from its competitors' offerings and successfully market its products to customers in the future. Furthermore, if revealed publicly, competitors that operate third-party exchanges could alter their practices to undermine Google's ability to deliver the best bidding performance for its customers.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 24th day of November, 2021, in California.

Ali Nasiri Amini

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